

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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KATHLEEN MORK,

Plaintiff,

v.

ORDER

14-cv-333-jdp

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

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On October 10, 2014, plaintiff Kathleen Mork filed a motion under 42 U.S.C. § 405(g), seeking review of the defendant commissioner's final decision that she was not disabled. On May 18, 2015, following full briefing and oral argument by the parties, the court entered judgment in favor of the commissioner. Plaintiff appealed. While the appeal was pending, counsel filed a joint motion under Fed. R. Civ. P. 62.1(1)(3), seeking an indication from this court that it would be inclined to grant relief from the May 18, 2015 judgment should the court of appeals remand the case for that purpose. On November 20, 2015, this court entered such an order. On November 25, 2015, the court of appeals remanded the case under Fed. R. App. P. 12.1 and Cir. R. 57 for a ruling on counsel's joint motion for judgment reversing the commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remanding the case to the commissioner. The motion will be granted.

On remand, an administrative law judge will further consider the medical evidence of record, reassess plaintiff's residual functional capacity, and issue a new decision

ORDER

IT IS ORDERED that the decision of the Acting Commissioner of Social Security in this case is REVERSED and the case is REMANDED to the commissioner.

Entered: February 3, 2016.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge